IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY FIRST DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO : 15913 of 2005

Between:

V.N. Sudarshan Rao, S/o Late V.V. Narayana Swamy,
R/o H. No. 2-129, Old Alwal, PO Bollarum, Secunderabad-10.

..... PETITIONER

AND

The Revenue Divisional Officer,

Chevella Division, Ranga Reddy District (West),

Hyderabad.

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an appropriate Writ, order or direction more particularly one in the nature of Writ of Mandamus directing the respondent hereinto consider the application of the petitioner dated 30-8-2004, which was received in the respondent's office on 2-9-2004 for grant of occupancy Certificate in respect of the land bearing Survey Nos. 566, 567, 568, 569, 570, 571, 572, admeasuring Ac. 1-20, 2-13, 1-36, 1-15, 6-06, 15-06 15-38 guntas respectively of Alwal Villge, Ranga Reddy District keeping in view the Ownership Certificate dated 3-2-1976 issued by the competent authority under Section 38-E of A.P. (Telangana Area) Tenancy and Agricultural Lands Act, 1950 and pass such other order or orders as this Hon'ble Court may deem fit proper in the circumstances of the case.

For the Petitioner: Mr.E. Madan Mohan Rao, Advocate.

For the Respondent: GP for Revenue.

The Court made the following:

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ORDER:

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The writ petition is filed seeking a writ of Mandamus directing the respondent to consider the application of the petitioner dated 30-08-2004, which was received in the respondent's office on 02-09-2004, for grant of Occupancy Certificate in respect of the land bearing Sy.Nos. 566, 567, 568, 569, 570, 571, 572 admeasuring Acs. 1.20, 2.13, 1.36, 1.15, 6.06, 15.06, 15.38 guntas respectively situate at Alwal Village, Ranga Reddy District keeping in view the Ownership Certificate
dated 03-02-1976 issued by the competent authority under Section 38-E of the Andhra Pradesh (Telangana Area) Tenancy and Agricultural Lands Act, 1950.

In the affidavit filed in support of the writ petition, it is stated by the petitioner that his father was a protected tenant in respect of the lands bearing Sy.Nos. 566, 567, 568, 569, 570, 571, 572 admeasuring Acs. 1.20, 2.13, 1.36, 1.15, 6.06, 15.06, 15.38 guntas respectively situate at Alwal village, Ranga Reddy District and that his name was recorded in the pahanies for the years 1954 to 1958. It is further stated that as his father was the protected tenant, he applied to the respondent for grant of ownership certificate under Section 38-E of the said Act and that the respondent has issued the ownership certificate dated 03.02.1976 in respect of Sy.Nos.566, 567, 568, 569, 570, 571 admeasuring Acs.1.20, 2.13, 1.36, 1.15, 6.06, 6.30 guntas respectively totally admeasuring Acs.20.00.

It is the case of the petitioner that as the lands in question are inam lands covered by the provisions of the Inams Abolition Act, he made an application dated 30-08-2004 for grant of occupancy certificate before the respondent by enclosing the ownership

certificate dated 03-02-1996 and the same was received by the respondent on 02-09-2004. The only grievance of the petitioner is that the said application has not been disposed of by the respondent so far.

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue.

Having regard to the facts and circumstances of the case, I deem it appropriate to dispose of the writ petition at the stage of admission directing the respondent to dispose of the application of the petitioner dated 30-08-2004 for grant of occupancy certificate which was received by the office on 02-09-2004 in accordance with law, after giving an opportunity of being heard to the affected parties, within eight weeks from the date of receipt of a copy of the order.

The Writ Petition is accordingly disposed of.

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21..07..2005

bsv/lvl

To

1. The Revenue Divisional Officer,

Chevella Division, Ranga Reddy District (West),

Hyderabad.

2. Two CCs to the Government Pleader for Revenue,

High Court of Andhra Pradesh, Hyderabad (OUT).

3. Two CD copies.